

FILED  
CLERK, U.S. DISTRICT COURT  
-3 JUN 04 PM 4:12

# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

The SCO Group, Inc.  
Plaintiff

v.


International Business Machines Corporation  
Defendant.

\* BY DEPUTY CLERK  
\* CASE NO. 03-CV-0294  
\*  
\* Appearing on behalf of:  
\*  
\* Plaintiff  
\* (Plaintiff/Defendant)  
\*

## MOTION AND CONSENT OF DESIGNATED ASSOCIATE LOCAL COUNSEL

I, Robert A. Magnanini, hereby move the pro hac vice admission of petitioner to practice in this Court. I hereby agree to serve as designated local counsel for the subject case; to readily communicate with opposing counsel and the Court regarding the conduct of this case; and to accept papers when served and recognize my responsibility and full authority to act for and on behalf of the client in all case-related proceedings, including hearings, pretrial conferences, and trials, should Petitioner fail to respond to any Court order.

Date: May 25, 2004

  
(Signature of Local Counsel) 5715  
(Utah Bar Number)

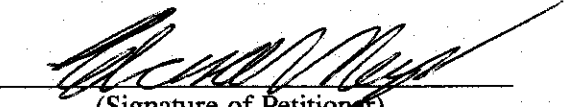
## APPLICATION FOR ADMISSION PRO HAC VICE

Petitioner, Robert A. Magnanini, hereby requests permission to appear pro hac vice in the subject case. Petitioner states under penalty of perjury that he/she is a member in good standing of the bar of the highest court of a state or the District of Columbia; is (i) X a non-resident of the State of Utah or, (ii)     a new resident who has applied for admission to the Utah State Bar and will take the bar examination at the next scheduled date; and, under DUCivR 83-1.1(d), has associated local counsel in this case. Petitioner's address, office telephone, the courts to which admitted, and the respective dates of admission are provided as required.

Petitioner designates Brent O. Hatch as associate local counsel.

Date: May 25, 2004

Check here     if petitioner is lead counsel.

  
(Signature of Petitioner)

Name of Petitioner: Robert A. Magnanini Office Telephone: 973-218-1111  
(Area Code and Main Office Number)

Business Address: Boies, Schilles & Flexner, LLP  
(Firm/Business Name)  
150 John F. Kennedy Parkway, Short Hills, New Jersey 07078  
Street City State Zip

170

**BAR ADMISSION HISTORY**

COURTS TO WHICH ADMITTED	LOCATION	DATE OF ADMISSION
State of New Jersey	New Jersey	12/21/93
State of New York	New York	2/24/98
State of Pennsylvania	Pennsylvania	12/10/93
United States District Court of Appeals for 3 <sup>rd</sup> Cir.	New Jersey	5/1995

(If additional space is needed, attach separate sheet.)

**PRIOR PRO HAC VICE ADMISSIONS IN THIS DISTRICT**

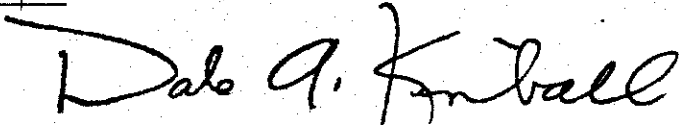
CASE TITLE	CASE NUMBER	DATE OF ADMISSION
In re: JD Services, Inc. v. R. Kimball Mosier v. Dominical Communications Corp.	Adv. Pro No. 02P-2320 (GEC)	11/27/02

(If additional space is needed, attach a separate sheet.)

**ORDER OF ADMISSION**

It appearing to the Court that Petitioner meets the pro hac vice admission requirements of DUCiv R 83-1.1(d), the motion for Petitioner's admission pro hac vice in the United States District Court, District of Utah in the subject case is GRANTED.

This 3<sup>rd</sup> day of June, 1904.



U.S. District Judge

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**OFFICE OF THE CLERK OF COURT**  
Suite 150, Frank E. Moss United States Courthouse  
350 South Main Street  
Salt Lake City, Utah 84101-2180  
(801) 524-6100

**PRO HAC VICE ADMISSION APPLICATION**

**INSTRUCTIONS**

**Admission Fee:** \$15.00 payable by check or money order to Clerk, U.S. District Court. Fee will cover membership for the duration of the case or twelve (12) months, whichever is longer. Pro hac applicants who paid the fee within the past 12 months and who are requesting admission to practice in a case other than that originally specified when the fee was paid should check the blank below and indicate the date of their most recent pro hac vice admission to this Court. *Applicants are required to complete and submit this form for each case in which they participate as pro hac vice counsel.*

X Applicant was previously admitted pro hac vice to this Court in case # Adv Pro No. 028-2320; month of most recent pro hac vice admission and payment of fee was November, 2003.

**Application:** Please type or print legibly and complete all blanks.

**Designated Local Counsel:** Must be an active member in good standing of the Utah State Bar and the Bar of this Court.

**Mandatory Requirements:**

1. Provide and attach a separate list by number and title of all cases filed in this Court in which applicant has appeared as counsel in the past five years.
2. Type local counsel's name below the signature line and enter the bar number in the space provided.
3. If more than one attorney from the same firm is seeking pro hac admission in this case, please indicate which attorney will serve as lead counsel for purposes of receiving official court notices and other case-related documents.

RECEIVED CLERK  
JUN 02 2004  
U.S. DISTRICT COURT

SEE PAID

blk

United States District Court  
for the  
District of Utah  
June 4, 2004

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

Brent O. Hatch, Esq.  
HATCH JAMES & DODGE  
10 W BROADWAY STE 400  
SALT LAKE CITY, UT 84101  
EMAIL

Scott E. Gant, Esq.  
BOIES SCHILLER & FLEXNER  
5301 WISCONSIN AVE NW  
WASHINGTON, DC 20015

Evan R. Chesler, Esq.  
CRAVATH SWAINE & MOORE  
825 EIGHTH AVE  
NEW YORK, NY 10019  
EMAIL

Mr. Alan L Sullivan, Esq.  
SNELL & WILMER LLP  
15 W SOUTH TEMPLE STE 1200  
GATEWAY TOWER W  
SALT LAKE CITY, UT 84101  
EMAIL

Mark J. Heise, Esq.  
BOIES SCHILLER & FLEXNER  
100 SE 2ND ST STE 2800  
MIAMI, FL 33131  
EMAIL

Mr. Kevin P McBride, Esq.  
1299 OCEAN AVE STE 900  
SANTA MONICA, CA 90401  
EMAIL

Robert Silver, Esq.  
BOIES SCHILLER & FLEXNER  
333 MAIN ST  
ARMONK, NY 10504

Mr. David W Scofield, Esq.  
PETERS SCOFIELD PRICE  
340 BROADWAY CENTRE  
111 E BROADWAY  
SALT LAKE CITY, UT 84111  
EMAIL